

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12786 of 2025

Arising Out of PS. Case No.-17 Year-2024 Thana- MANJHI District- Saran

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Sima Devi @ Seema Devi W/O Ajay Kumar Chaudhari @ Ajay Chaudhari
R/O Village- Mubarakpur, P.S- Manjhi, Distt.- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha

For the Opposite Party/s : Mr. Md. Fahimuddin

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 28-03-2025 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.
2. The petitioner apprehends her arrest in a case
registered for the offence punishable under Section 30(a) of Bihar
Prohibition and Excise Act.
3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and is a woman and
allegation is of recovery of 36 litres of liquor from a motorcycle.
It is next submitted that petitioner was not arrested from the spot
as such nothing was recovered from her conscious possession and
she came to be implicated based on the fact that she is owner of
the seized vehicle. It is next submitted that no prudent person
would use her own vehicle for committing an occurrence and thus
would create evidence against herself and hence would get
implicated. It is also submitted that the petitioner was completely
unaware that Sujeet would misuse the vehicle in the manner as
alleged who was also apprehended from the spot.



4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.500/- (Rupees five hundred) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Manjhi P.S. Case No.17/2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. It is made clear that the learned trial court thereafter shall verify the criminal antecedents of the petitioner and in the event if it is found that petitioner has antecedent of even one case, in that event, the provisional anticipatory bail order shall not be confirmed but if on verification it is found that petitioner is a person with clean antecedent, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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